Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) A motion-preserving implant device comprising:

a first plate comprising an outer surface for engaging with a first bone and an inner surface including both~~, the first plate comprising~~ a first recessed surface and a concave articulation surface, the first recessed surface spaced apart from the concave articulation surface;

a second plate for engaging with a second bone, the second plate comprising a second recessed surface;

~~an~~ a convex articulation member positioned entirely between the two plates and in direct and slidable contact with the concave articulation surface; and

a motion-controlling member extending between the first and second recessed surfaces, wherein the articulation member is separate from and stiffer than the motion-controlling member.

2. (Original) The device of claim 1 wherein the motion-controlling member is configured to constrain the relative motion between the two plates.

3. (Original) The device of claim 1 wherein the motion-controlling member is configured to provide a bumper between the two plates when a motion of the two plates meets a predetermined threshold.

4. (Original) The device of claim 1 wherein the motion-controlling member includes a plurality of elastic members.

5. (Currently amended) A spinal implant for insertion between two vertebral bodies, comprising:

a first plate comprising an outer surface for engaging with the first vertebral body~~, the first plate comprising~~ and an inner surface including both a first recessed surface and a concave articulation surface, the first recessed surface adjacent to the concave articulation surface;

a second plate for engaging with the second vertebral body, the second plate comprising a second recessed surface;

an articulation member made from a first material and positioned in direct and articulating engagement with the concave articulation surface and entirely between the two plates; and

an elastic motion-controlling member made from a second material and positioned between the first and second recessed surfaces, the second material being more elastic than the first material.

6. (Original) The spinal implant of claim 5 wherein the articulation member and the motion-controlling member are configured to provide pivotal and rotational movement between the two vertebral bodies.

7. (Original) The spinal implant of claim 5 wherein the articulation member is configured to provide rotational and translational movement between the two vertebral bodies.

8. (Original) The spinal implant of claim 5 wherein the articulation member is a non-elastic ball and socket.

9. (Original) The spinal implant of claim 5 wherein the plates are coated with an amorphous oxide coating.

10. (Original) The spinal implant of claim 5 wherein the articulation member includes a projection having a convex shape.

11. (Cancelled)

12. (Previously Presented) The spinal implant of claim 5 wherein the motion-controlling member includes a plurality of elastic members.

13. (Previously Presented) The spinal implant of claim 12 wherein the motion-controlling member includes a cord connected between the plurality of elastic members.

14. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is constructed of a bio-resorbable material.

15. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is constructed of a material that changes properties in response to its environment.

16. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is constructed of a material that changes properties in response to an external stimulus.

17. (Original) The spinal implant of claim 12 wherein at least one of the elastic members includes a hollow portion.

18. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is filled with a gel.

19. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is shaped as a wheel.

20. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is shaped as a sphere.

21. (Original) The spinal implant of claim 12 wherein the plates are unrestrained in a first position and are at least partially restrained in a second position by the motion-controlling member.

22. (Previously Presented) The spinal implant of claim 12 wherein the first plate includes a first plurality of recessed surfaces, including the first recessed surface, and the second plate includes a second plurality of recessed surfaces, including the second recessed surface, and wherein the plurality of elastic components extends between the first and second plurality of recessed surfaces.

23. (Previously Presented) The spinal implant of claim 22 wherein the first plurality of recesses are shaped in a circular dove-tail arrangement.

24. (Previously Presented) The spinal implant of claim 12 wherein the first plate includes a first plurality of recessed surfaces, including the first recessed surface, in which the plurality of elastic members can be attached and wherein a first of the elastic members can be attached to one of the plates, and a second of the elastic members can be attached to the other of the plates.

25. (Previously Presented) The spinal implant of claim 12 wherein at least one of the elastic members is attached to one of the plates via an attachment mechanism.

26. (Cancelled)

27. (Currently amended) An implant comprising:

a first plate for engaging with a first bone comprising a superior surface and an inferior surface, the superior surface having both a recessed surface portion ~~adjacent to~~ and a convex articulation surface portion, the recessed surface portion adjacent to the convex articulation surface portion;

a second plate for engaging with a second bone comprising a superior surface and an inferior surface, the inferior surface having a concave articulation surface portion in direct contact and articulating engagement with the convex articulation surface portion; and

a motion-controlling member, separate from the convex articulation surface portion, positioned between the recessed surface portion and the inferior surface of the second plate.